

Remarks/Arguments:

STATUS OF CLAIMS

There were 30 claims before amendment comprising claims 308 – 323 and 325 – 338.

After amendment, there are 30 claims comprising claims 308 – 323 and 325 – 338.

Claims 308 and 336 are independent claims.

Claims 1 – 307 and 324 were previously canceled.

Claims 308 and 336 have been amended.

No new matter is added by the amendments, which are supported by the original disclosure as discussed herein.

No additional claims fees are due.

DETAILED RESPONSE

Applicant addresses the detailed actions in the office action in the order set forth in the office action.

Office Action page 2, Response to Amendment

Applicant acknowledges and thanks the Examiner for having considered Applicant's Amendments filed on June 22, 2010 and August 13, 2010.

Office Action page 2, Information Disclosure Statement

Applicant acknowledges Examiner's statement that the information disclosure statement (IDS) submitted on June 15, 2010 is being considered.

Office Action pages 2-3, Claim Rejections - 35 USC § 112

Applicant acknowledges the citation to the law at 35 U.S.C. 112 and the rejection of claim 308 under 35 U.S.C. 112, first paragraph. Examiner finds at pages 2-3 of the

office action that the following limitation in italics and from claim 308 is not supported in at paragraphs 138-139 of the specification:

*“configuring the server to control all of the user’s interaction with the first dynamic content and the second dynamic content **by causing the third host to retrieve the first dynamic content from the first host, and to retrieve the second dynamic content from the second host.**”*

Examiner states:

“There is no discussion of causing the third host content of retrieving by the first host content and the second host content.” Emphasis in original, office action, page 3, lines 25 – 26.

Applicant agrees with Examiner’s findings as to what paragraphs 138 – 139 in the description mean, but respectfully suggests that the examiner misconstrues this limitation in claim 308. Examiner finds:

“The cited passage discloses [that] request[s] are being sent and data received from different servers in the network and once the request[s] are received they are combined into a single dynamic table that is in the virtual server. Another passage discloses services form server A 1510 will be available to virtual server.” Office action, page 3, lines 22-25.

The “third host” in the objected to limitation is presented by the server as is required by the previous limitation in claim 308: *“presenting a third host to a user accessing the server.”* So, it is the server that is to *“retrieve the first dynamic content from the first host, and to retrieve the second dynamic content from the second host.”* Thus, it is the server that is operating the third host to retrieve the content, which is consistent with the referenced paragraphs and Examiner’s interpretation of them. Additional support may be found at paragraphs 133 - 135 and original claim 58.

Office Action page 4, Claim Rejections - 35 USC § 103(a)

Applicant acknowledges the citation to the law at 35 U.S.C. 103(a) and the rejection of claims 308-315, 317-319, 321-323, 327, and 331-338 under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6, 141,666 to Tobin in view of U.S. Patent Application Publication No. 2003/00993321 to Bodmer, et al.

PRESENTING STEP DISTINCTIONS

Applicant respectfully disagrees with examiner's finding that Tobin teaches the "presenting" limitation in claim 308:

"presenting a third host to a user accessing the server wherein the third host displays the first dynamic content and the second dynamic content together as if the first dynamic content and the second dynamic content originated from the third host." Emphasis added.

Applicant acknowledges that Examiner finds that Tobin teaches this limitation:

"Regarding claim 308, Tobin discloses . . . *presenting a third content* [sic] *host* to a user accessing the server wherein the third content host displays the first content and the second content as if the first content and the second content originated from the third content host (col. 7, lines 55-66; Figure 4; Figure 11A; Figure 11 B; col. 9, lines 6-30)." Office Action page 4, lines 26-27 thru page 5, lines 3-4.

In applicant's view, none of the citations to Tobin describes a presenting a third host that incorporates different dynamic content from two other hosts. Tobin consistently describes a host that incorporates a link to a second host. A link to a second host cannot be claim 308's "second dynamic content" because the link is static and is not "dynamic," as required by the "presenting" step. So, Tobin does not describe presenting a third host that displays two dynamic contents from two different hosts.

Applicant's claim 308 embodiment is fundamentally different from Tobin's teaching because the third host actually displays the two dynamic contents from two different sources. No user click on a hyperlink is required.

Tobin may subsequently call up dynamically retrieved data one at a time based on a user clicking on a hyperlink, but this does not describe a third host that displays integrated dynamic content from multiple sites. Tobin explains:

"hypertext links, presented as single links or image maps, i.e., grouped links, *which are anchored to data* that is dynamically retrieved." Tobin, col.3, lines 23 – 26.

Tobin's anchoring to dynamic data is not the same as presenting a third host that displays two sets of dynamic content. Applicant clarifies the limitation by adding "together" to clarify that the two dynamic contents are shown together in the third host. This is supported at paragraph 9 of the description. Since Tobin does not support applicant's claim 308, examiner's citation of Tobin in view of Bodmer must similarly fail.

DIFFERENT HOST PRECLUDED

Additionally, the use of Tobin's hyperlinks for presenting the integration of dynamic content by redirecting the user to another host is not consistent with applicant's claims because the third host is what interfaces with the user in the display of this data, not the host at the target of the hyperlink. To further accentuate this distinction applicant adds a further limitation:

"wherein said user interaction *stays at the third host* without redirecting the user to the first host, and wherein the user interaction with the second dynamic content stays at the third host without redirecting the user to the second host."

This limitation is supported in the description at paragraph 11 of the description. Claim 336 was amended to include a similar limitation. Addition of this new limitation should make it clear that Tobin cannot possibly teach applicant's claims 308 and 336 embodiments because Tobin's jumps using hyperlinks will necessarily take the user to a different host.

131 DECLARATION

Applicant additionally submits a declaration under 37 CFR 1.131 to show invention on 04-JAN-2001, prior to the July filing date of the Bodmer reference. The declaration provides scanned images of a witnessed notebook detailing the invention and dating the disclosure to 04-JAN-2001. A scanned image shows the signature of third-party witnesses to the notebook beginning on 20-JAN-2001. This declaration should remove Bodmer as a reference against applicant's invention.

Office Action page 12, Claim Rejections - 35 USC § 103(a)

Applicant acknowledges the citation to the law at 35 U.S.C. 103(a) and the following rejection:

“Claims 316, 320, 325-326, 328-330 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 6,141,666 to Tobin and U.S. Patent Application Publication No. 2003/0093321 to Bodmer et al., as applied to claim 308 above, and further in view of U.S. Patent No.7, 194,678 to Koike et al.”

As explained above, Tobin fails to disclose the presenting limitation and Bodmer is not prior art for applicant's claims.

Applicant observes that Tobin implements different control over the user's interaction with the server in that, in applicant's claims, the user is not redirected to another server. Tobin's use of hyperlinks to jump to another vendor's site is contrary to what applicant is intending to claim. The basis of hypertext linking in Tobin's invention is explained in his abstract:

“The system utilizes a dynamic token scheme to pass the identity of the referring network site from document to document to eventual purchase document accessed by the client through the hypertext tags.” Tobin, abstract.

Tobin explains this means of content linking to enable the user can jump to the related page:

“includes hypertext links 402-408 which provide jumps to Web site pages indicated . . . includes hypertext links which point to Web site pages that are dynamically created as needed by a database process.” Tobin, col. 7, lines 60-67.

The same “jumps” are described at the other Tobin location of lines 6-30 and the figures cited (Figure 4; Figure 11A; Figure 11 B) are consistent with hypertext jumping.

In order to further clarify that claim 308 does not involve adding hypertext links, applicant now amends the claims to make it clear that the server does not redirect the user by hypertext links or otherwise, to another site. The added limitation:

“wherein said user interaction stays at the third host without redirecting the user to the first host, and wherein the user interaction with the second dynamic content stays at the third host without redirecting the user to the second host.”

Since claims 316, 320, 325-326, 328-330 are dependent from claim 308, Tobin is, thus, further distinguished.

132 DECLARATION

Applicant submits the attached declaration of an expert in the field pursuant to 37 CFR 1.132, which supports applicant's interpretation of Tobin.

Conclusions:

This response is intended to fully respond to the office action mailed 15-NOV-2010.

Applicant submits these amendments within 30 days after the close of the 3-month shortened statutory period for reply to the office action. Applicant petitions for a one-month extension of time and submits payment of corresponding late fees under section 1.17(a)(1) of \$65.00.

No additional claims fees are due as a result of the submitted amendments. No new matter is added to the application by the amendments in this response.

Applicant submits a Request for Continued Examination under 37 CFR 1.114 and makes payment of the requisite \$405 fee stated in 37 CRR 1.17(e).

Therefore, applicant respectfully requests further examination of his application based on the amendments submitted, that a timely Notice of Allowance be issued in this case, and that the application be issued as a United States Patent.

Respectfully submitted,

Signed: 10-MAR-2011

A handwritten signature in black ink, reading "Louis Ventre Jr", is written over a horizontal line. The signature is cursive and stylized.

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